

MINUTES
CITY OF WARR ACRES
REGULAR CITY COUNCIL MEETING
TUESDAY
JUNE 15, 2010
6:00 P.M.

ROLL CALL

PRESENT

Mayor Patrick Woolley
Councilwoman Nancy Olson
Councilman Dean Johnson
Councilman Phil Owens
Councilman David Dirkschneider
Councilwoman Jan Blake
Councilman Christian Portwood
Councilman Doug Davis

ABSENT

Councilwoman Cathy Maxey

STAFF PRESENT

Matthew Love, City Attorney
Roger Patty, Police Chief
Kenny Koger, Asst. Fire Chief
Mike Turman, Public Works Director
Jenell Robertson, Asst. City Clerk

1. Call to order, Declaration of a quorum, Flag salute and Invocation.

Mayor Woolley called the meeting to order at 6:00 p.m. Kenny Koger led everyone in the Flag Salute. Councilman Portwood did the Invocation.
2. Call to the Public. None.
3. CONSENT DOCKET: (individual items may be deleted from the consent docket for discussion and action under #4.)
 - A. Approval of the minutes from the Regular meeting of May 18, 2010.
 - B. Approval of Expenditures

General Fund	\$	463,600.17
E911 Fund	\$	1,996.34
CIP Fund	\$	69,344.96
Sewer Line	\$	16,556.17
 - C. Approval of Actual Expenditures for May 2010 and Proposed Expenditures for June 2010.
 - D. Sales Tax History Report.
4. Discussion and possible action on items removed from the consent docket.

Councilman Johnson asked for Item A. to be removed.

Motion by Councilwoman Olson, seconded by Councilwoman Blake to approve the Consent Docket for Item B., Item C., and Item D. Poll vote: Woolley, yes; Johnson, yes; Dirkschneider, yes; Blake, yes; Davis, yes; Portwood, yes; Olson, yes. Motion passed.

Motion by Councilwoman Olson, seconded by Councilman Portwood to approve Item A. on the Consent Docket. Poll vote: Woolley, yes; Johnson, abstain; Dirkschneider, abstain; Blake, yes; Davis, yes; Portwood, yes; Olson, yes. Motion passed.

5. Receive reports from Staff: Police Chief, Fire Chief, City Clerk, City Attorney, Public Works Director, City Engineer, and City Planner.

Chief Patty discussed Federal Funding Okla. Highway Safety, Click it or ticket, and estimates for damages from the lightning strike/rain storm on June 14, 2010.

Attorney Matt Love discussed an agreement to be drawn up with the City of Bethany reference the City of Warr Acres using Bethany's equipment, etc. and the liability issue.

Mike Turman discussed the sewer drains, etc. regarding the recent storm, 63rd Street rehab, water line replacement at N. W. 59th & Redmond, N. W. 66th & MacArthur pipe replacement, overlay on MacArthur, and striping north of N. W. Highway on MacArthur. Mike also asked the public for patience in picking up the garbage right now as it is taking time for the Sanitation Dept. to get the garbage next to the houses and problems at the dump because of the heavy rains received.

Scott Barrett discussed manhole rehabilitation, flow monitoring, and City Hall and Community Center projects.

Councilman Owens entered meeting at 6:16 p.m.

6. Discussion and possible action concerning a zoning change. Mr. Sergio Ceballos (owner/applicant) has applied to have his property located at 5505 NW 50th St. rezoned from C3 to C4. (Planning Commission recommendation was to deny granting the rezoning request by a vote of 4/2.)

This item was on the agenda last month and the Public Hearing was held then.

Motion by Councilman Owens, seconded by Councilwoman Blake to deny the zoning change for the property located at 5505 N. W. 50th (as recommended by the Planning Commission). Poll vote: Woolley, yes; Johnson, yes; Owens, yes; Dirkschneider, yes; Blake, yes; Davis, yes; Portwood, yes; Olson, yes. Motion passed.

7. Discussion and possible action on the annual Oklahoma County Jail Services Agreement for FY 2010-2011.

Motion by Councilwoman Olson, seconded by Councilman Johnson to approve the annual Oklahoma County Jail Services Agreement for FY 2010-2011. Poll vote: Woolley, yes; Johnson, yes; Owens, yes; Dirkschneider, yes; Blake, yes; Davis, yes; Portwood, yes; Olson, yes. Motion passed.

8. Discussion and possible action on Resolution 459, E911 telephone fee rate for calendar year 2011.

Motion by Councilwoman Olson, seconded by Councilwoman Blake to approve Resolution 459, E911 telephone fee rate for calendar year 2011. Poll vote: Woolley, yes; Johnson, yes; Owens, yes; Dirkschneider, yes; Blake, yes; Davis, yes; Portwood, yes; Olson, yes. Motion passed.

9. A. Discussion and possible action on an Ordinance amending 8.08.200 of the Warr Acres Municipal Code amending the procedures for termination of garbage service for nonpayment or delinquent payment of fees.

City Attorney, Matt Love, explained that the procedure would be for both Sanitation and Sewer, and termination would begin after 60 days for non-payment or delinquent payment of fees.

Motion by Councilman Portwood, seconded by Councilman Olson to approve amending Ordinance 8.08.200 of the Warr Acres Municipal Code amending the procedures for termination of garbage service for nonpayment or delinquent payment of fees. Poll vote: Woolley, yes; Johnson, yes; Owens, yes; Dirkschneider, yes; Blake, yes; Davis, yes; Portwood, yes; Olson, yes. Motion passed.

- B. Approval of the emergency clause.

Motion by Councilman Portwood, seconded by Councilwoman Olson to approve the emergency clause to amend Ordinance 8.08.200 of the Warr Acres Municipal Code. Poll vote: Woolley, yes; Johnson, yes; Owens, yes; Dirkschneider, yes; Blake, yes; Davis, yes; Portwood, yes; Olson, yes. Motion passed.

10. A. Discussion and possible action on an Ordinance amending 13.04.130 of the Warr Acres Municipal Code amending the procedures for termination of sewer service for nonpayment or delinquent payment of fees.

Motion by Councilwoman Olson, seconded by Councilman Portwood to approve the Ordinance amending 13.04.130 of the Warr Acres Municipal Code amending the procedures for termination of sewer service for nonpayment or delinquent payment of fees. Poll vote: Woolley, yes; Johnson, yes; Owens, yes; Dirkschneider, yes; Blake, yes; Davis, yes; Portwood, yes; Olson, yes. Motion passed.

- B. Approval of the emergency clause.

Motion by Councilman Portwood, seconded by Councilwoman Olson to approve the emergency clause to amend Ordinance 13.04.130 of the Warr Acres Municipal Code. Poll vote: Woolley, yes; Johnson, yes; Owens, yes; Dirkschneider, yes; Blake, yes; Davis, yes; Portwood, yes; Olson, yes. Motion passed.

11. A. Discussion and possible action on an Ordinance amending 3.22.220 of the Warr Acres Municipal Code restricting the uses for the Warr Acres Hotel tax.

Councilman Johnson stated he wanted to start restricting the uses for the Warr Acres Hotel tax as is follows: $\frac{1}{2}$ Capital Replacement (not CIP Fund) for equipment, etc.; $\frac{1}{4}$ to fund OMRF Retirement until money is caught up; $\frac{1}{8}$ Economic Development; and $\frac{1}{8}$ for Beautification Fund.

Councilman Portwood stated he had a problem with designating money from the hotel tax right now and he wanted the hotel tax to go into the general budget.

Motion by Councilwoman Blake, seconded by Councilman Portwood to approve an Ordinance amending 3.22.220 of the Warr Acres Municipal Code restricting the uses as stated above for the Warr Acres Hotel Tax. Poll vote: Woolley, yes; Johnson, yes; Owens, no; Dirkschneider, yes; Blake, yes; Davis, yes; Portwood, no; Olson, yes. Motion passed.

B. Approval of the emergency clause.

Motion by Councilman Johnson, seconded by Councilman Portwood to approve the emergency clause amending Ordinance 3.22.220 of the Warr Acres Municipal Code. Poll vote: Woolley, yes; Johnson, yes; Owens, no; Dirkschneider, yes; Blake, yes; Davis, yes; Portwood, no; Olson, yes. Motion passed.

12. Questions and comments from Council.

Blake stated 39th Expwy. median had been cleaned of trash and met the DEQ Supplemental Environmental Project requirements and another project will be completed by 7-1-10. She also stated there will be a city wide garage sale after July 4th, permits being \$10.00 and citizens need to contact Leslie Owens.

Dirkschneider stated he attended a 3 day conference on Economic Development and anyone wanting more information should contact him.

Owens discussed the city wide garage sale.

Johnson-nothing
Davis-nothing
Olson-nothing

Portwood stated this would be his last City Council meeting, as he was taking an opportunity that had come to him and his family and he would be moving out of Warr Acres. He stated he enjoyed being on the Council.

Woolley stated he appreciated Councilman Portwood's service to the City Council and thanked him.

13. Discussion and possible action concerning contract negotiations for FY 2010 with FOP Lodge #145, and IAFF Lodge #2374 and the City of Warr Acres, including discussion and action on entering into Executive Session as allowed under 25 O.S. Supp. 307 (B)(2), discussion negotiations concerning employees and representatives of employee groups.

Motion by Councilman Owens, seconded by Councilman Dirkschneider to go into executive session, to include Tony Puckett and Police Chief Roger Patty. Poll vote: Woolley, yes; Johnson, yes; Owens, yes; Dirkschneider, yes; Blake, yes; Davis, yes; Portwood, yes; Olson, yes. Motion passed.

Entered into executive session at 6:33 p.m. Returned from executive session at 7:14 p.m. Recessed for 10 minutes.

No action taken in executive session.

14. Discussion and possible action to authorize the Mayor to execute a Memorandum of Understanding with the Fraternal Order of Police, Lodge 145, to continue the terms of the July to December 2009 Collective Bargaining Agreement as work rules until such time as the Collective Bargaining Agreement for Calendar Year 2010 is resolved.

City Attorney, Matt Love, stated this memorandum would extend the Police Contract until a new contract is resolved. In the past, it was believed that the contract continued even though a new contract had not been approved – this is not so. This memorandum would clear this up.

Motion by Councilman Johnson, seconded by Council Owens to authorize the Mayor to execute a Memorandum of Understanding with the Fraternal Order of Police, Lodge 145, to continue the terms of the July to December 2009 Collective Bargaining Agreement as work rules until such time as the Collective Bargaining Agreement for Calendar Year 2010 is resolved. Poll vote: Woolley, yes; Johnson, yes; Owens, yes; Dirkschneider, yes; Blake, yes; Davis, yes; Portwood, yes; Olson, yes. Motion passed.

15. Any Old or New Business (“New Business”) is defined by the Open Meeting Act as any matter not known about or which could not have been reasonably foreseen prior to the time of posting of the agenda of a (“surprise nature”).

None.

16. Adjournment.

Motion by Councilman Portwood, seconded Councilwoman Olson to adjourn this meeting of the Warr Acres City Council. Poll vote: Woolley, yes; Johnson, yes; Owens, yes; Dirkschneider, yes; Blake, yes; Davis, yes; Portwood, yes; Olson, yes. Motion passed.

Meeting adjourned at 7:57 p.m.

Respectfully Submitted,

Jenell Robertson
Asst. City Clerk

MINUTES
CITY OF WARR ACRES
PUBLIC WORKS AUTHORITY MEETING
TUESDAY
JUNE 15, 2010
6:00 P.M.

(Following completion of regularly scheduled City Council meeting)

ROLL CALL

PRESENT

Mayor Patrick Woolley
Councilwoman Nancy Olson
Councilman Dean Johnson
Councilman Phil Owens
Councilman David Dirkschneider
Councilwoman Jan Blake
Councilman Christian Portwood
Councilman Doug Davis

ABSENT

Councilwoman Cathy Maxey

STAFF PRESENT

Matthew Love, City Attorney
Roger Patty, Police Chief
Kenny Koger, Asst. Fire Chief
Mike Turman, Public Works Director
Jenell Robertson, Asst. City Clerk

1. Call to order, Declaration of a quorum.

Mayor Woolley called the meeting to order at 7:57 p.m. and declared a quorum.

2. Approve the minutes of the Warr Acres Public Works Authority Meeting of May 18, 2010.

Motion by Councilwoman Blake, seconded by Councilman Owens to approve the minutes of the Warr Acres Public Works Authority meeting of May 18, 2010. Poll vote: Woolley, yes; Johnson, abstain; Owens, yes; Dirkschneider, abstain; Blake, yes; Davis, yes; Portwood, yes; Olson, yes. Motion passed.

3. Approve payment of claim in the amount of \$58,013.21 to the Bethany-Warr Acres Public Works Authority for the Warr Acres portion of the Joint Trust and Bond Retirement for the month of May, 2010.

Motion by Councilman Owens, seconded by Councilman Portwood to approve payment of claim in the amount of \$58,013.21 to the Bethany-Warr Acres Public Works Authority for the Warr Acres portion of the Joint Trust and Bond Retirement for the month of May, 2010. Poll vote: Woolley, yes; Johnson, yes; Owens, yes; Dirkschneider, yes; Blake, yes; Davis, yes; Portwood, yes; Olson, yes. Motion passed.

4. Approval of payment of claims for the Sewer Department.

Motion by Councilman Owens, seconded by Councilman Dirkschneider to approve payment of claims for the Sewer Dept. Poll vote: Woolley, yes; Johnson, yes; Owens, yes; Dirkschneider, yes; Blake, yes; Davis, yes; Portwood, yes; Olson, yes. Motion passed.

5. Adjournment.

Motion by Councilman Owens, seconded by Councilman Portwood to adjourn this meeting of the Warr Acres Public Works Authority. Poll vote: Woolley, yes; Johnson, yes; Owens, yes; Dirkschneider, yes; Blake, yes; Davis, yes; Portwood, yes; Olson, yes. Motion passed.

Meeting adjourned at 8:00 p.m.

Respectfully Submitted,

Jenell Robertson
Asst. City Clerk/Payroll

MINUTES
CITY OF WARR ACRES
EMERGENCY CITY COUNCIL MEETING
TUESDAY
June 15, 2010
6:00 p.m.

ROLL CALL

PRESENT

Mayor Patrick Woolley
Councilwoman Nancy Olson
Councilman Dean Johnson
Councilman Phil Owens
Councilman David Dirkschneider
Councilwoman Jan Blake
Councilman Christian Portwood
Councilman Doug Davis

ABSENT

Councilwoman Cathy Maxey

STAFF PRESENT

Matthew Love, City Attorney
Roger Patty, Police Chief
Kenny Koger, Asst. Fire Chief
Mike Turman, Public Works Director
Jenell Robertson, Asst. City Clerk

1. Call to Order. Declaration of a quorum.

Mayor Woolley called the meeting to order at 8:00 p.m. and declared a quorum present.

2. Approve of a Declaration of an Emergency on communications equipment operated by the Police and Fire Departments (2 consoles), camera system, fire alerting system, generator and possibly any other equipment that was destroyed by a lightning strike on June 14, 2010 for the immediate replacement of such equipment for the protection and safety of citizens.

Police Chief Patty stated that the lightning/rain storm on June 14, 2010 damaged the two consoles in dispatch, camera system, fire alerting system and possibly the generator. More damage may be possible, but nothing more had been found at this time. Chief Patty stated he had been given two quotes and gave them to the Asst. City Clerk.

Motion by Councilman Owens, seconded by Councilman Portwood to Declare an Emergency on communications equipment/consoles, camera system, fire alerting system and the generator damaged from the storm on June 14, 2010. Poll vote: Woolley, yes; Johnson, yes; Owens, yes; Dirkschneider, yes; Blake, yes; Davis, yes; Portwood, yes; Olson, yes. Motion passed.

3. Approval to waive competitive bidding for the replacement and installation of communications equipment operated by the Police and Fire Departments (2 consoles), camera system, fire alerting system, generator and possibly any other equipment that was destroyed by a lightning strike on June 14, 2010.

Motion by Councilman Owens, seconded by Councilman Dirkschneider to waive competitive bidding for the replacement and installation of communications equipment operated by the Police and Fire Departments (2 consoles), camera system, fire alerting system, generator and possibly any other equipment that was destroyed by a lightning strike on June 14, 2010. Poll vote: Woolley, yes; Johnson, yes; Owens, yes; Dirkschneider, yes; Blake, yes; Davis, yes; Portwood, yes; Olson, yes. Motion passed.

4. Approval and appropriation of funds in the amount of \$60,000 to purchase the communications equipment operated by the Police and Fire Departments (2 consoles), camera system, fire alerting system, generator and possibly any other equipment that was destroyed by a lightning strike on June 14, 2010.

Motion by Councilman Owens, seconded by Councilman Portwood to appropriate funds in the amount not to exceed \$50,000.00 from the Public Safety Fund to purchase the communications equipment operated by the Police and Fire Departments (2 consoles), camera system, fire alerting system, generator and possibly any other equipment that was destroyed by a lightning strike on June 14, 2010. Poll vote: Woolley, yes; Johnson, yes; Owens, yes; Dirkschneider, yes; Blake, yes; Davis, yes; Portwood, yes; Olson, yes. Motion passed.

5. Adjournment.

Motion by Councilman Owens, seconded by Councilman Portwood to adjourn this emergency meeting of the Warr Acres City Council. Poll vote: Woolley, yes; Johnson, yes; Owens, yes; Dirkschneider, yes; Blake, yes; Davis, yes; Portwood, yes; Olson, yes. Motion passed.

Meeting adjourned at 8:10 p.m.

Respectfully Submitted,

Jenell Robertson
Asst. City Clerk